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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,083	07/14/2000	Jin-Meng Ho	03493.00078	5573
28317	7590	10/29/2003	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR AT & T CORP 1001 G STREET, N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597			BLOUNT, STEVEN	
		ART UNIT	PAPER NUMBER	
		2661		
DATE MAILED: 10/29/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/617,083	HO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Steven Blount	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 08 August 2002 .

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-24 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6)  Other: \_\_\_\_ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,631,122 to Arunachalam et al.

With regard to claim 1, Arunachalam et al teaches a virtual stream of information (col 4, lines 50+) in a wireless network 204 (figure 2) between a QOS agent/manger 205 ("interlinked", see col 4, line 43) and endsystems 209 (col 4, line 52) wherein the agent/manager are both in the same communication set, and a "forward path process" is utilized. It is noted that while the phrase "basic" service set is not mentioned in Arunachalam et al, it would be obvious to one of ordinary skill in the art that this is an obvious type of a "basic" service set.

With regard to the following claims (hereinafter referred to as "Cl"), note the following: Cl 2 - 3: VSID identifier: see the "unique identifier" LFI in col 6, line 8 and note that it is well known that IP packets of the type used in Arunachalem et al use source and destination addresses; Cl 4: MAC sublayer: see col 4, line 54 (layer 2) and the LAC/MAC layer discussed throughout; Cl 5: as previously noted, note the LAC/MAC layer discussed throughout (ie, col 6, line 5); Cl 6: It would be obvious for the member

that sets up the connection to tear it down; Cl 7: reserved resources are taught in col 4, line 37 and col 4, line 61; Cl 8: see the rejection of claims 6 and 7 above; Cl 9: BW is taught in col 4, line 61; Cl 10: PC/non-PC is shown in the figures, and downlink is mentioned in the patent (col 8); Cl 11: uplink is mentioned in col 10; Cl 12: note the multiple mobile systems associated with member 205 in figure 2 (ie, members 209); Cl 13 – 14: multicast/unicast are well known methods of transmission of which it would be obvious to utilize in Arunachalam et al; Cl 15: see member 803 in figure 8; Cl 16: see col 4, lines 60+; Cl 17 – 22: note the multimedia application discussed in the abstract, wherein these are often bursty data; Cl 23: token bucket values are obvious and well known measures of data; Cl 24: 204 in figure 2 is a WLAN.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,587,457 to Mikkonen.

Mikkonen teaches sending a stream of data associated with a specific QOS where although a basic service set is not specifically mentioned, it is noted that the system taught in Mikkonen can be considered to be an obvious variation of a "basic" service set.

4. Steven Blount may be reached at the Patent Office at 703-305-0319 between the hours of 9:00 and 5:30 P.M.

SB

  
10/9/03

